

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 45

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KAZUO SHIOTA et al.

Appeal No. 2004-1518
Application 08/979,567

ORDER VACATING ORAL HEARING
AND ORDER REMANDING TO EXAMINER



The Oral Hearing scheduled for November 18, 2004, at 1:00 p.m., Madison Building (East Wing), 600 Dulany Street, 9th Floor, Alexandria, VA 22313-1450, has been vacated without prejudice.

On August 23, 2004, applicants filed an Information Disclosure Statement ("IDS") (Paper No. 44). The IDS has now been matched with this application at the Board of Patent Appeals and Interferences. The IDS needs to be considered by the examiner with respect to compliance with the criteria set forth in 37 CFR

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§§ 1.97 and 1.98. A communication notifying applicants of the examiner's decision is required.

Accordingly, it is

ORDERED that the application is remanded to the examiner for such consideration of the IDS filed on August 23, 2004, appropriate notification to the applicant, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



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